

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

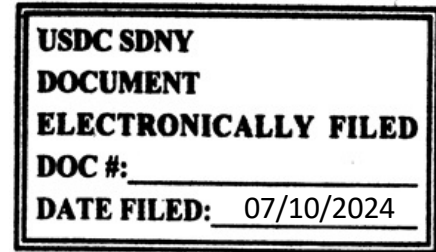
**Robert Murray, a/k/a Leviticus Bofnet  
Lucfer,**

**Plaintiff,**

**-against-**

**City of New York, et al.,**

**Defendants.**



**1:24-cv-03758 (JGLC) (SDA)**

**ORDER**

**STEWART D. AARON, United States Magistrate Judge:**

WHEREAS, Plaintiff Robert Murray ("Plaintiff") initiated the above-captioned action against the City of New York; Dept. Hamuton ("Dept. Hamuton"); DOC Correction Officer ("C.O.") Philogene, Shield No. 8360 ("C.O. Philogene"); C.O. Dawkins, Shield No. 7198 ("C.O. Dawkins"); Capt. Toliver, Shield No. 1291 ("Capt. Toliver"); C.O. Monagan, Shield No. 12320 ("C.O. Monagan"); C.O. Hasangjekaj, Shield No. 2071 ("C.O. Hasangjekaj"); C.O. Tomasik, Shield No. 19746 ("C.O. Tomasik"); C.O. Payne, Shield No. 140 ("C.O. Payne"); C.O. Pratt ("C.O. Pratt"); and Captain Banks ("Capt. Banks" and collectively the "Defendants") (Compl., ECF No. 1); and

WHEREAS, on June 5, 2024, the Court issued an Order of Service requesting the Defendants to waive service of a summons in accordance with Rule 4(d) of the Federal Rules of Civil Procedure (6/5/24 Order of Service, ECF No. 7, at 2); and

WHEREAS, on July 10, 2024, the New York City Department of Correction ("DOC") filed an executed Waiver of Service as to C.O. Philogene; C.O. Dawkins; Capt. Toliver; C.O. Monagan; C.O. Hasangjekaj; C.O. Tomasik; and C.O. Payne (the "Waived Defendants"), with deadlines to

Answer or otherwise respond to the Complaint of September 9, 2024 (Waiver of Service (Executed), ECF No. 10); and

WHEREAS, on July 10, 2024, a Waiver of Service was returned unexecuted as to C.O. Pratt, as “more information [is needed] for identification” (Waiver of Service (Unexecuted), ECF No. 11); and

WHEREAS, City of New York, Capt. Banks, Dept. Hamuton, and the John and Jane Does have not yet waived service; and

WHEREAS, the Court ordered the New York City Law Department, Office of the Corporation Counsel (the “Law Department”) to (1) identity the names and badge numbers of the John and Jane Does whom Plaintiff seeks to sue, (2) the addresses where each Defendant may be served, and (3) confirm the identifies and badge numbers of the other Defendants that Plaintiff has identified herein no later than 60 days following the Order of Service, which is August 5, 2024 (the “*Valentin* Order”) (6/5/24 Order of Service at 2-3); and

WHEREAS, Plaintiff shall have the opportunity to file an Amended Complaint upon receiving information responsive to the *Valentin* Order (6/5/24 Order of Service at 3).

NOW, THEREFORE, it is hereby **ORDERED**, as follows:

1. In the interest of judicial efficiency and given the deadlines previously included in the Order of Service, the Court hereby adjourns the Waived Defendants’ deadline to Answer or otherwise respond to the Complaint *sine die*.

2. The Court’s request for City of New York, Capt. Banks, and Dept. Hamuton to waive service remains outstanding in accordance with the Order of Service.

3. The Law Department's obligation in accordance with the *Valentin* Order is enlarged to include any identifying information regarding C.O. Pratt since the DOC has stated that it "[n]eed[s] more information for identification." (Waiver of Service (Unexecuted).)

4. The Clerk of Court is directed to mail a copy of this Order to the Law Department at 100 Church Street, New York, NY 10007.

**SO ORDERED.**

DATED: New York, New York  
July 10, 2024

A handwritten signature in black ink, reading "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON  
United States Magistrate Judge